



SO ORDERED.

SIGNED this 20 day of October, 2016.

*Stephani W. Humrickhouse*

Stephani W. Humrickhouse  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION

IN RE:

KING DAN RIVES and  
MARYDEL HART RIVES,

DEBTORS.

CHAPTER 13  
CASE NO. 16-03686-5-SWH

**CONSENT ORDER GRANTING MOTION FOR RELIEF FROM THE  
AUTOMATIC STAY OF 11 U.S.C. § 362**

**THIS MATTER** coming before the Court upon the Motion of Timothy Saleeby for relief from the automatic stay of 11 U.S.C. § 362 for the purpose of commencing an action in summary ejectment against the Debtors and the leased residential premises located at 8308 Grey Abbey Place, Raleigh, North Carolina 27615;

**IT APPEARING** that the Debtors are currently delinquent in their rent payments to Saleeby in the amount of \$6,400.00 which is comprised of the pre-petition July 2016 payment, post-petition August 2016 payment, post-petition September 2016 payment, and post-petition October 2016 payment;

**AND IT FURTHER APPEARING** that the Debtors have agreed to vacate the leased residential premises located at 8308 Grey Abbey Place, Raleigh, North Carolina 27615 on or before October 13, 2016 without the necessity of an order granting summary ejectment from the state court;

**AND IT FURTHER APPEARING** that the Debtors have consented to the relief requested in the Motion for Relief from the automatic stay;

**AND IT FURTHER APPEARING** that good cause has been shown for relief from the automatic stay of 11 U.S.C. § 362;

**WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED and DECREED** that the Motion for Relief from the Automatic Stay is **GRANTED**, and that Timothy Saleeby, or any successor-in-interest, shall be granted relief from the automatic stay of 11 U.S.C. § 362 so as to be granted possession of the leased residential premises located at 8308 Grey Abbey Place, Raleigh, North Carolina 27615 effective October 13, 2016;

**IT IS FURTHER ORDERED** that Movant is allowed to file a proof of claim for any deficiency balance owed by the Debtors under the terms of the lease;

**IT IS FURTHER ORDERED** that Rule 4001(a)(3) of the Bankruptcy Code is not applicable and Timothy Saleeby, or any successor-in-interest, may immediately enforce and implement this Order granting relief from the automatic stay.

CONSENTED TO:

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NO OBJECTION:

/s/ John F. Logan  
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